IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 1775 of 2003 (S/S)

Smt. Susheela Gusain
W/o Sri Raghuveer Singh Gusain
R/o Pabau Market, Mohalla Gosain
Patti Ghudaursyun, P.O. Pabau
Tehsil and District Pauri Garhwal. …….Petitioner

Versus

1. State of Uttaranchal through Secretary Medical, Health and Family Welfare Uttaranchal, at Dehradun.
2. Director, Medical, Health and Family Welfare, Uttaranchal at Dehradun.
3. Chief Medical Officer Pauri Garhwal ……..Respondents.

Shri Lalit Belwal, learned counsel for the petitioner.
Learned standing counsel for the respondents.

Hon'ble Prafulla C. Pant, J

Learned counsel for the parties are present.

2. The petitioner, who is working on contractual basis as Auxiliary Nurse and Midwife with the Health Department, has sought her regularization in service.

3. In view of the principle of law laid down in ***Secretary, State of Karnataka Vs. Uma Devi, reported in (2006) 4 Supreme Court Cases, Pg. 01,*** wherein it has been held that the workers engaged on contractual basis, on daily wages or the persons who get employed without undergoing regular selection process, should not be permitted to be absorbed or regularized against the constitutional scheme of public employment, this Court is not inclined to issue direction to regularize services of the petitioners, as such, the petition is liable to be dismissed.

4. The writ petition is dismissed with the observation that the petitioner, if so likes, may make representation to the concerned authority, for extension of her term. Interim order, if any, stands vacated. (All pending applications also stand disposed of).

Dt. 12.12.2006 **(Prafulla C. Pant, J.)**

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